

PS 8
(8/88)

United States District Court
for
Western District of Tennessee

FILED BY *[Signature]* D.C.

05 JUL 19 AM 8:36

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN MEMPHIS

U.S.A. vs. James Long

Docket No. 04-20398-01 -D

Petition for Action on Conditions of Pretrial Release

COMES NOW PRETRIAL SERVICES OFFICER Stephanie K. Denton presenting an official report upon the conduct of Defendant Long who was placed under pretrial release supervision by the Honorable Tu M. Pham sitting in the court at Memphis, on the 28th day of September 2004, under the following conditions:

1) Report as directed to Pretrial Services, 2) Refrain from possessing a firearm, destructive device, or other dangerous weapons, 3) Refrain from the excessive use of alcohol, 4) Refrain from any use or unlawful possession of a narcotic drug or other controlled substances, 5) Submit to any method of drug testing required by Pretrial Services, 6) Participate in a program of drug treatment if deemed advisable by Pretrial Services, and 7) Defendant must reside with his mother at all times unless another residence is approved by Pretrial Services.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

Please see attached page.

ORDER OF COURT

Considered and ordered this 18
day of July, 2005 and ordered
files and made a part of the records in the above
case.

[Signature]

U.S. Magistrate Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 13, 2005

[Signature]

U.S. Pretrial Services Officer

Place Memphis, TN

This document entered on the docket sheet in compliance
with Rule 55 and/or 32(b) FRCP on 7/19/05

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A violation report was submitted to U.S. District Judge Jon P. McCalla on December 29, 2005. The violation report alleged that the defendant had violated the following conditions of release: 1) Report as directed to Pretrial Services, 2) Refrain from the unlawful use or possession of a narcotic drug or other controlled substance, and 3) Refrain from the excessive use of alcohol.

Since December 29, 2005, the defendant has violated the following conditions of release:

Report as directed to Pretrial Services

Defendant Long failed to report as directed to Pretrial Services on May 24, 2005, June 8, 2005.

Refrain from the unlawful use or possession of a narcotic drug or other controlled substances

On January 3, 2005, the defendant admitted to using Cocaine on December 31, 2004. On January 11, 2005, the defendant admitted to using Cocaine on January 9, 2005. On January 11, 2005, he was referred to drug treatment at ACAR.

On January 13, 2005, the defendant tested positive for Cocaine. On July 5, 2005, Defendant Long tested positive for Cocaine after he had completed the drug treatment program.

Refrain from the excessive use of alcohol

On January 11, 2005, Defendant Long arrived at ACAR for his substance abuse intake and assessment while under the influence of alcohol. He tested 1.1 BAC Level when he arrived at ACAR.

On February 22, 2005, ACAR advised that the defendant continues to drink alcohol and that he suffers from withdrawal symptoms when he attempts to quit drinking. ACAR indicated that the defendant related that he has audio and visionary hallucinations when he quit drinking for three days.

On April 5, 2005, Defendant Long reported to the Pretrial Services Office and a strong odor of alcohol emanated from the defendant. Mr. Long admitted that he drank three to four beers prior to reporting to Pretrial Services on that date.

On April 7, 2005, this officer referred Defendant Long to the St. Francis Hospital for alcohol detox. The defendant participated in alcohol detox and he was released from St. Francis on April 13, 2005.

PRAYING THAT THE COURT WILL ORDER ISSUANCE OF A WARRANT CHARGING THE DEFENDANT WITH VIOLATING THE CONDITIONS OF PRETRIAL RELEASE.

BOND RECOMMENDATION: NONE



Notice of Distribution

This notice confirms a copy of the document docketed as number 40 in case 2:04-CR-20398 was distributed by fax, mail, or direct printing on July 19, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT